

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ELLEN ELIZABETH TARR	:
	:
Plaintiff,	: <u>ORDER</u>
	: 23 Civ. 9319 (JHR) (GWG)
	:
-v.-	:
	:
CLOTHING ARTS, LTD.	:
	:
Defendant.	:
-----X	
GABRIEL W. GORENSTEIN, United States Magistrate Judge	

The application to adjourn the conference (Docket # 11) is granted. The adjournment, however, will be without date. The reason for this is that plaintiff has not contacted the defendant's representative, Adam Rapp, to determine the dates of his availability for a rescheduled conference. Mr. Khaimov states that "Counsel . . . is unable to contact the pro se Defendant-company's representative Adam Rapp, as there is no contact information available on the docket." (Docket # 11). However, in a prior letter to the Court, Mr. Khaimov asserted "the Parties are in communication and negotiating settlement." (Docket # 9). It was for this reason that the Court did not at the time supply the contact information for Mr. Rapp to Mr. Khaimov.

Mr. Khaimov is directed to file a sworn statement on the ECF system on or before January 10, 2024, explaining the apparent contradiction in these two representations to the Court. If Mr. Khaimov claims that he has been "in communication" and "negotiating settlement" with Mr. Rapp, he shall provide a listing of all dates on which such communications took place, the means by which the communication took place, and the approximate length of each such communication.

Finally, it appears that the Clerk did not mail a copy of the Court's December 5, 2023 Order to Adam Rapp as was directed in Docket # 8. Accordingly, the Clerk is directed to mail a copy of Docket # 8 as well as this Order to:

Adam Rapp
Clothing Arts, Inc.
360 Carnegie Ave A
Kenilworth, NJ 07033

SO ORDERED.

Dated: January 3, 2024
New York, New York



GABRIEL W. GORENSTEIN
United States Magistrate Judge